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3/20/03

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

NORIAKI HATTORI ET AL

: EXAMINER: SLOBODYANSKY, E.

SERIAL NO: 09/581,241

: GROUP ART UNIT: 1652

FILED: JUNE 26, 2000

FOR: LUCIFERASE AND METHODS  
FOR ASSAYING INTRACELLULAR  
ATP BY USING THE SAME

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AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the Office Action dated September 10, 2002, Applicants respectfully request reconsideration in light of the following amendment and remarks. Further, Applicant file herewith an Request for Continued Examination with a certified English-language translation of the present application's priority document and paper and computer-readable copies of the Sequence Listing filed in provisional application US 60/051,917 as suggested by the Examiner.

IN THE CLAIMS

Please cancel Claims 14-33 in favor of the following claims.

--34. (New) An isolated polypeptide, comprising an improved luciferase activity in the presence of 0.1% benzalkonium chloride, wherein